IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Susan M. Duncan	Attorney Docket No.	ADAP-1-1002
Serial No.:	09/881,856	Group Art Unit:	2859
Filing Date:	June 13, 2001	Examiner:	T. Reis
Title:	SPACE CONFIGURATION DESIGN TOOL		

DECLARATION UNDER 37 C.F.R. § 1.132 OF SANDRA HARTJE

TO THE COMMISSIONER OF PATENTS:

I, Sandra Hartje, Associate Professor at Seattle Pacific University, Seattle, Washington 98119, pursuant to 37 C.F.R. § 1.132, hereby state as follows:

1. I am a tenured Associate Professor of Interior Design and Housing in the Department of Family and Consumer Sciences at Seattle Pacific University, having taught full-time in this program since September of 1989. I am also the program director for the interior design program. I have a B.S. degree in Home Economics Education (1979), and M.S. (1985) and Ph.D. (1998) degrees in Design, Housing and Apparel, all from the University of Minnesota. I make this declaration as an addendum to my January 25, 2004 declaration.

2. Many efforts have been made over the years to solve problems associated with providing a tool for accessibility design. The tool that I am most familiar with for accessibility symbols is Navigator, a symbols library within ArchT (14.5). ArchT is an architectural third-party add-on software to AutoCAD. It enables students to insert accessibility symbols (such as wheelchairs) into a drawing, while they are drawing. The symbol, is thus, a part of the drawing and is static.

3. Other tools that I have used with students include paper templates and/or plastic overlays with cut-outs of symbols. I am familiar with the drawing template provided by Bobrick Washroom Equipment, Inc., a 4"x 6" template is a clear hard plastic overlay used

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on top of plans to assist with approximating wheelchair maneuverability and planning. Again, these tools are static in that the symbol is either cut out and attached to or drawn on a drawing. As a static symbol, no movement is shown. In addition, because they are two-dimensional, even if they were moveable, the visual impact would be minimal, at best.

4. Despite attempts to provide a efficient and effective accessibility design tool, including improving on known tools, existing accessibility design tools, or tools that have been attempted to be developed, such as the Bobrick template, suffer from severe practical limitations that make it difficult if not impossible to demonstrate and visually show how a person using a wheelchair actually maneuvers in spaces using an architectural scale. A two-dimensional template is used to mark or indicate a static location on a design plan, thereby providing architectural scale and verifying clearances associated with the wheelchair at that location. However, such static templates do not visually illustrate the actual *movement* of a person using a wheelchair or other types of mobility equipment as it negotiates the space. Using the templates as an overlay requires manual manipulation of the template, which obscures the visual movement being demonstrated. The same limitations are seen using other types of templates as well as the CAD program: each can be used to mark a location on a drawing or plan with a wheelchair icon footprint, but such static representations cannot be used to show actual maneuverability within the space.

5. I have seen Ms. Duncan's Visualizer Set product and practiced with it on floor plans. The Visualizer Set includes a three-dimensional member shaped as a human seated in a wheelchair. The member is scaled to allow accurate representation of the movement of the three-dimensional member within the spaces of known scale of a design plan. It further includes a three dimensional base extending downwardly and outwardly from the three-dimensional member, the base having a peripheral edge shaped to coincide with a scaled space envelope desired for movement of a wheelchair. It also includes a wand extending from the three-dimensional member used to move the tool along design plan paths.

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6. Clients often have difficulty visualizing design solutions—including accessibility. Students, who are training to become interior designers, must learn how to communicate to their clients visually. Accordingly, Ms. Duncan's Visualizer Set product, and specifically the features of the tool identified above, meet a long unmet need for an accessibility design tool that is readily moveable by the user and provides properly scaled visualization of accessibility needs on design plans.

7. I consider the Visualizer Set tool an extremely valuable, and long-overdue, tool for the interior design industry. It has and will contribute greatly to understanding accessible design and moving the field of accessible and universal design forward.

I hereby further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 8-4-05

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